

FACSIMILE TRANSMISSION

The information contained in this transmission is privileged and confidential. It is intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited.

If you have received this communication in error, please notify Gen-Probe immediately by telephone and return the original message to us at the below-indicated address via regular U.S. mail. Thank you.

FROM: Charles B. Cappellari
Gen-Probe Incorporated
Patent Department
10210 Genetic Center Drive
San Diego, California 92121
Phone No. (858) 410-8927
Facsimile No. (858) 410-8928

TO: Examiner: Chakrabarti, A.
Group 1634

Box AF
U.S. Patent & Trademark Office
Facsimile No. (703) 746-4979

Number of pages (including this cover page): 6

In re Patent Application of:	)	Group Art Unit: 1634
)	
ADAMS <i>et al.</i>	)	Examiner: Chakrabarti, A.
)	
Serial No. 09/867,193	)	Confirmation No. 7798
)	
Filed: May 29, 2001	)	Atty. Docket No. GP100-03.CN1
)	
Title: DECOY PROBES	)	Date: January 8, 2003

Transmitted herewith:

Reply Under 37 C.F.R. § 1.116 (5 pgs.).

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence (and any referred to as attached) is being sent by facsimile to 703-746-4979 on the date indicated below to Box AF, Commissioner for Patents, Washington, D.C. 20231.

Date: January 8, 2003

By: 

Charles B. Cappellari, Reg. No. 40,937

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	)	Group Art Unit: 1634
)	
ADAMS <i>et al.</i>	)	Examiner: Chakrabarti, A.
)	
Serial No. 09/867,193	)	Confirmation No. 7798
)	
Filed: May 29, 2001	)	Atty. Docket No. GP100-03.CN1
)	
For: DECOY PROBES	)	VIA FACSIMILE

REPLY UNDER 37 C.F.R. § 1.116

Box AF
Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Examiner's Final Office Action mailed on December 2, 2002, kindly consider the following remarks in connection with the above-captioned application.

Remarks

Claims 1-18 and 34-39 are presently pending in the subject application.

Reconsideration and allowance in view of the following remarks are respectfully requested.

Applicants wish to thank the Examiner and his supervisor for participating in a telephonic interview with Applicants' representative today. Those points which were raised and discussed during the interview are repeated in the remarks set forth below.

Rejections Under 35 U.S.C. § 103

Claims 1-16 and 36-39 stand rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over Wright *et al.* (Science (1997) 276:614-617) in view of Kacian *et al.* (U.S. Patent No. 5,554,516). Applicants respectfully traverse this rejection for the reasons that follow.